he is complimenting the Minister.

SHRI JAGESH DESAI: I would like to know whether this increased capacity in Bombay Port Trust will be carried earlier than its anticipation, so that more traffic can be allowed and more revenue can be generated. May I know from the Minister whether the Government will advance expansion of this port programme much earlier than 1996-97?

SHRI JAGDISH TYTLER: Mr. Chairman, Sir, we are proposing to increase the capacity of the Bombay Port Trust by 9.18 million tonnes and the Jawaharlal Nehru Port Trust by 7.85 million tonnes. The suggestion of the hon. Member is very good. I will make an attempt to hurry it up as quickly as possible.

MR. CHAIRMAN: Q.No. 244.

Project pending for Environmental Clearance

*244. SHRIMATI RENUKA CHOWDHURY:

SHRI CHIMANBHAI MEHTA:†

Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

(a) what are the details about industrial and major irrigation projects held up due to non-clearance from the Ministry;

(b) what are the details of projects of Gujarat State that are held up due to non-clearance; and

(c) by when these projects are likely to be cleared?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI KAMAL NATH): (a) and (b) List of industrial and major irrigation projects including schemes of Gujarat awaiting environmental and forestry clearance is laid on the table of the House. (*See* below).

(c) The decision on the projects can be taken only after receipt of complete data and action plans are requested from the project authorities. Projects submitted with complete details are decided within three months for environmental clearance and within one month in case of diversion of forest land.

† The question was virtually asked on the floor of the House by Shri Chimanbhai Mehta.

Statement

Industrial and major irrigation products awaiting environmental and foresty clearance

I. INDUSTRIAL PROJECTS ENVIRONMENTAL CLEARANCE BIHAR.

1. Coal briqueting Unit of Bocaro Steel Plant SAIL

GOA

2. POL Installation at Vasco, Goa, BPCL

GUJARAT

3. LPG Recovery Plant at Vaghodia of GAIL

4. Proposal for setting up an Argon Gas recovery Unit at KRIBHCO's fertilizer Complex at Hazira.

5. Crude Oil Terminal at Vadinar by BPCL

6. Gas processing complex at Gandhar by GAIL

7. 9 million Tonne Oil Refinery at Vadinar, ESSAR (Site approval only)

9. 9 Million Tonne Oil Refinery at Vadinar, Reliance Petrochemicals

9. Expansion of Hazira Shore Terminal—ONGC

HARYANA

10. HMT..Joint Venture Project for manufacture of press dies, mould etc.

11. Alumina Refinery at Maruti Udyog Limited, Gurgaon.

KERALA

12. Expansion of C6H6 Unit..CRL

MAHARASHTRA

13. Melamine Plant of HCP, Thal

14. Bombay-Manmad Pipeline of BPCL.

ORISSA

15. O.5 MTPA capacity mini steel plant of Mid-East Integrated Steel Ltd., Jaipur.

RAJASTHAN

16. Oil Depot at Bharatpur

UTTARPRADESH

17. Expansion in throughput capacity of Mathura refinery from 7.5 MTPA to 8.0 MTPA by IOC

B. FORESTRY CLEARANCE

GUJARAT

18. Construction of Mini Cement Plant

HIMACHAL PRADESH

19. Construction of Cement Plant.

II. MAJOR IRRIGATION PROJECTS

A. ENVIRONMENTAL CLEARANCE

ANDHRA PRADESH

1. Srisailam Left Bank Canal Project

2. Jurala Project

RAJASTHAN

3. Bisalpur Project

UTTAR PRADESH

4. Eastern Ganga Canal Project

5. Zamania Pumj Canal

MADHYA PRADESH

6. Mongra Project.

B. FORESTRY CLEARANCE

ANDHRA PRRADESH

1. Srisailam Left Bank Canal Project

GURAJAT

2. Zankhari Irrigation Scheme

MADHYA PRADESH

3. Mohini Sagar Dam

UTTAR PRADESH

4. Jamrani Multipurpose Dam

SHRI CHIMANBHAI MEHTA: Mr. Chairman, Sir, the Minister has given an elaborate list of projects pending environmental clearance in the Ministry of Environment. Some of the projects are of high importance and they are pending since months. The Minister has said in his reply that if the required details are given to his Ministry they would clear the projects within three months. Now the question is projects pertaining to the petroleum products are very important items for our national requirements. It appears that a lot of time has been taken in clearing two projects, 9-million tonne refineries at Vadinar and also some gas projects. Some of the projects are State-owned or joint venture projects. In view of the urgency to set up petroleum-based projects, I would like to know from the Minister whether his Ministry would give clearance to these projects and whether he would ask for details from the States so that requirements of petroleum products in the country can be met.

SHRI KAMAL NATH: Mr. Chairman, Sir, I have stated that these prjects can only be evaluated and correctly evavluated provided complete details are submitted. These details just do not merely consist of a project report or a feasibility report. The kind and the nature of projects determine the kind of document and data they will require. Of course, these projects have to be accompanied by an environment impact assessment study because all major industrial projects, especially

the ones which the hon. Member has mentioned, involve major environmental ramifications. So, the impact assessment has to be done and the environment management plan examined to ensure how the impacts will be dealt with subsequently. Sometimes, these issues are examined in the context of site-specific implications. The impacts depend on the kind of site, the process to be used; disposal of effluents etc. We have to look at all these integrated and holistic manner. Unless all these details are available, no rational decision can be taken. Sometimes, the proponents delay furnishing all these details or sometimes they are fighting shy of this. But, I can only say that there is no delay, as such, which calls for looking at the procedure again.

SHRI CHIMANBHAI MEHTA: Mr. Chairman, Sir, sometimes conditionalities are attached in giving oclearances to the projects. As far as the Narmada case is concerned, I know that everything has been done on the conditions of environmental clearance and then implementation. For one tree being submerged, 200 trees are being grown. Sometimes, when the Minister is in Madhya Pradesh he tells us that certain things have not been implemented and that he would hold up the Sardar Sarovar project work. This creates panic in the minds of the people of Gujarat because they have already put in.....

MR. CHAIRMAN: Please conclude now.

SHRI CHIMANBHAI MEHTA: ....thousands of crores of rupees here. Therefore, I would like to request the Minister that he may not issue such statements. I do not want to say "threats". It is not correct for him because he is a very mild person. But such warnings may not be given. They are not proper. Will he reconsider this?

SHRI KAMAL NATH: When an environmental clearance is granted, there are certain conditions attached to it. This have to be necessarily so because we have to ensure what is required when the project is completed as well as while it is going on. There are certain conditions which are to be fulfilled *pari passu*, with construction of the projects. You, cannot take certain steps with regard to a project, especially a river-valley project, after the project has been completed. You cannot start rehabilitating people after submergence has taken place. That is just to give an example.

SHRI CHIMANBHAI MEHTA: This has not happened in Gujarat. Please be careful. (*Interrupitons*).

SHRI AJIT P. K. JOGI: It has happend. (*Interruptions*).

MR. CHAIRMAN: Let us not have a Gujarat-Madhya Pradesh debate on this. (*Interruptions*). Mr. Jogi, will you please sit down? (*Interruptions*). Let the Minister answer this, please. This is not the forum to have a fight between two States.

SHRI KAMAL NATH: I am not talking of Narmada. I am talking of projects, generally. When the hon. Member stated that there are conditions attached, I am only saying that conditions have to be attached. Those conditions have to be met—some after the project is completed and some while the construction is going on.

The hon. Member has also said that some statements are made when certain environmental conditions are not being met. It is not a question of posig any 'threat' or creating 'panic' That is the last thing which I would endeavour to do. But, certainly, it has to be brought to the notice of the project proponents that certain expeditious action is required to be taken. When the Narmada Project was cleared in 1987, there were certain environmental conditions, with regard to treatment, of the catch-

ment area, etc., etc. Those conditions relate to various aspects from rehabilitation to treating of catchment area, protection of flora and fauna. It is not a question of planting 20 trees for one tree cut. The tree that is being cut may be 50 years old or 100 years old and the tree being planted will take 50 years to grow. We cannot just look at it in terms of one tree versus twenty. The impacts of cutting a tree, disturbing the eco-system, are considerations which are to be looked at closely.

SHRI CHIMANBHAI MEHTA: Then, no dam like this can be built. (*Interruptions*). Sir, I wanted to know whether he would stop issuing warnings.

SHRI KAMAL NATH: There is no question of any warning. When the environmental conditions are not being met, I have to bring it to their notice. It is not a question of warning. (*Interruptions*)

MR. CHAIRMAN: Shrimati Renuka Chowdhury. Only one supplementary for you, unfortunately.

SHRIMATI RENUKA CHOWDHURY: I know, Sir, I apologise for being late. (*Interruptions*) Sir, why is it that they all react like this warning. (*Interruptions*).

MR. CHAIRMAN: They should be eager to listen to you.

SHRIMATI RENUKA CHOWDHURY: Sir, first of all, there is a small piece of information to the Environment Minister. CPWD chop off the gorgeous trees in every Member's house. They have chopped off large trees to put up a lawn. The other thing I want to ask is that the State Financial Corporations and the industrial units have no zonal planning for industries and in the new metros and in the new places where industries are still coming up, there does not seem to be any preconceived notion to put up these industries and we can use a common effluent disposal system and the aerial release of ammonia which affects even the next-door household. There does not seem to be any restriction before they plan themselves or before the licences are issued. Subsequently, after everything is over, after the entrepreneurs have put up the industry, they are slapped with notices that they are doing this to the environment or they are doing that to the environment. It is a question of complex approach that we have and, sometimes, we seem to be duplicating work in other places. Now, I want to know whether the Minister has a comprehensive plan to give to the State Government which can be monitored, which will need compulsory environment clearance and not merely how they dispose of their effluents. It would be in the fitness of things if they could plan industrial zoning in certain areas so that disposal of effluents becomes cheaper for the entrepreneurs. It is not fair to give a viability report for industry to put up an industry and then much later: come with a very expensive effluent disposal system which is not included in their budget. This becomes a Catch-22 situation. I would like the hon. Minister to answer this point.

SHRI KAMAL NATH: Sir; I am thankful to the hon. Member for informing me about the CPWD cutting trees. It is very unfortunate and I shall certainly take this up with the CPWD. It has been our effort to integrate the environmental concerns right at the planning stage, so that remedial action is planned in advance and not when the project is on the verge of commencement or when the land has been bought and the construction has been started. But these environmental concerns must be integrated at the planning stage when a site is selected. So, Sir, now, there is a procedure by virtue of which for site specific projects like mining, which can be done only where minerals are, before

even selecting the site the proponents must get a site clearance. Similarly for non-site specfic project, it has now been prescribed that for most of the polluting industries; clearance will be required. When the hon.. Member talks about specific urban areas, it is necessary for the carrying capacity study to be done. What is the carrying capacity of that area? One poject in the particular area may be environmentally viable and it is not a question of economic or financial viability, but the same project in an area like Chembur in Bombay, which has already got a heavy polltion load, may not be viable. So carrying capacity study in industrial areas is also prescribed.

SHRIMATI RENUKA CHOWDHURY: Sir, I would like to draw the attention of the Minister by giving one example of Andhra Pradesh . (*Interruptions*).

SHRI V. NARAYANASAMY: Madam don't refer to Hyderabad.

SHRIMATI RENUKA CHOWDHARY: In Andhra Pradesh, we have the Nuclear Fuel Complex at Hyderabad against which many complaints were launched. They were disposing of material which was collected by the tribals around that area to use as fuel, not realising that there is a radioactive material being dumped there. Now, right around that area, there is a housing colony. Is there any interaction between the Minister and the metros in respect of housing? The ground water was contaminated by nitrates. Now, what can we do to help those people because they are at a great risk? We lost a radium needle which was found later on. Of course, this is part of history, but it can happen any time. You have the Nuclear Fuel Complex, sitting between a housing colony and the CCMB housing colony next door, which are sponsored by the Government. If we have a Nuclear Fuel Complex, which contaminated water by nitrates, what action the Ministry proposes to take in this respect?

SHRI KAMAL NATH: Sir, unfortunately, urban planning, does not come under my Ministry. So far as the question of the specific case mentioned by her is concerned, there are, in our country, a large number of old, established projects from the time, when environmental concern.

Environmental consciousess or environmental evaluations were not there. We had the Environment Protection Act only some time in 1986. Now, over the last couple of years, with this concern and with the ability to measure the impact of our own actions on all the industries, we are able to look at it more cohesively. So, there are a problems with a large part of old industrial units and the old projects which have been set up. ... (*Interruption*) ... Sir, we are seized of a number of such cases and I am not quite aware specifically of the case she has mentioned but I will certainly look into it.

SHRI H. HANUMANTHAPPA: Sir my supplementary relates to the first part of the question i.e. about the clearance of the projects. Sir, actually the Landuse maps had been prepared during the British time when the load on the land was very less, when our population was less. So, all

those barren lands had been included as forest lands wherever agricultural operations were not taken. Many of these forest lands are even today empty, not a single tree grows over there. But, unfortunately, what has happened is, with the awareness created by the Department and with the taken by the Government of India, and particularly by the hon. Minister, Mr. Kamal Nath, wherever the question of forests comes, that has become a holy cow and nobody touches it and no file moves in the State Government. There are thousands of acres of barren land; not a single tree grows. When some project is to be started for productive purposes, and even if barren a forest land available, nobody pocesses the file. And the power is vested with the Central Government! Nobody goes through the file and sends it to the Central Government. In my own State, there is a lot of land classified as forest land, but no forest is available. Wherever Government land is available, Government has permitted the weaker sections to convert it into an agricultural land, and but, when it is a forest land, they cannot take it. Not a shrub can be destroyed. Nothing grows over there ... (*Inttrruption*) ...

MR. CHAIRMAN: Please ask a question.

SHRI H. HANUMANTHAPPA: Sir I am coming to it. Where there is no forest to be cut, where there is a barren land, will the Minister consider the matter and look afresh into the maps, and see to it that such forest land can be released either for agricultural purposes or for project purposes?

SHRI KAMAL NATH: Sir, I thought, the hon. Member would be happy that we are not releasing the forest lands because our effort should be not only to conserve the forests but also to conserve these lands which are degraded forest lands. I agree with the Member that there are no forests on some of these lands, but there were forests. These lands, without any tree, without any growth,—which are classified as forest lands—are really forests which have been destroyed and it should be our effort, in pursuance of the National Forest Policy, to have 33 per cent of the land area under forests. Today, our dense forest area is only about 10.5 per cent of the total land area where the density is more than 0.4 (point four). So, Sir, we have a large area running into millions of hectares, of land which is degraded forest land. It is our effort to involve the community, involve the State Forest Departments, to afforest this land. When there is a case of undertaking a project and where there is no alternative land for development purposes—there is a large amount of revenue land available—at that time, we certainly consider the question of diversion of forest land. But, that should be the last resort for us. That should be the last resort because if all the land, which is classified as forest land, is to go into agriculture or into some project, then it shall never be possible to do any further afforestation in the country because there will be no land left. So, as a last resort, we do use, and if there is a specific case of delay, where the projects were not cleared or not being sent by the State Government concerned which has to move these projects, I will be happy if the hon. Member informs me about that specific project.

SHRI M. A. BABY: We are very happy to have an environment conscious or rather over-conscious Minister in the Environment Ministry. Considering the importance of environment, anybody who is serious about the future of homosapiens and also the future of our beautiful planet should be conscious about the environmental problems. So far as Kerala

is concerned, we are faced with an acute power shortage. The Silent Valley project would have taken care of the power needs of the State of Kerala. But due to very genuine or legitimate objections the State of Kerala had to abandon the Silent Valley project. I don't have any quarrel over that. But then Mrs. Gandhi said that Pooyamkutty would be given instead of Silent Valley. When environmental examination has been undertaken, objections have been raised against Pooyamkutty project. Now, I have specific information that there has been an instruction to review the environmental objections with regard to the Pooyamkutty project. I would like to know specifically what the present status of the review which is being undertaken with regard to the objections against the Pooyamkutty project is. In the statement given by the Minister there is a reference to an expansion of the Cochin Refinery Limited. I would like to know how long this has been pending with the Ministry and how much time he will take to come out with a 'yes'-or-'no' decision.

SHRI KAMAL NATH: Sir, it is true that for major environmental repercussions or environmental degradation, which would have been irreversible, the Silent Valley project was stopped. In the last two years, looking at the power shortage of Kerala, Kayamkulam project has been approved and the Kayamkulam project will give a lot of relief to the State of Kerala. The Pooyamkutty project has been pending for a long time. It also has major environmental ramifications. I constituted a team to go there. In fact, I have received a large number of representations from the people of that area stating how it will affect their life and what effect it will have on the eco-system. This review committee has visited the site. There are some major environmental considerations with serious repercussions. It is being looked into. As far as the question of power to Kerala is concerned, the Kayamkulam project, I am sure, will ease it out. Power is something which we can bring from a near-by place, but we cannot import environmental quality into that area. What can be substituted must be substituted.

SHRI N. E. BALARAM: You come to your point. Kayamkulam does not come there.

SHRI KAMAL NATH: I am not responsible for putting up Kayamkulam project. I have cleared the Kayamkulam project as the hon. Member would know. The State Government is to see its execution it is for the hon. Member to take it up with state authorities. Coming back to Pooyamkutty, it will involve submerging of some 3,000 hectares of very precious forest. So, this project has also major environmental ramifications. With regard to the Cochin Refinery, this project has not been pending for a substantial time and we will take a decision on this expeditiously. I can assure this to the hon. Member.

श्री अहमद मोहम्मद भाई पटेल : महोदय, सरदार सरोवर प्रोजेक्ट का सवाल है, पर्यावरण की सुरक्षा का सवाल है। गुजरात की सरकार ने जो भी शर्तें, जो भी बातें केन्द्रीय सरकार ने पर्यावरण की सुरक्षा के बारे में की हैं उनको रिलीजियसली माना है। उसके बावजूद भी ट्रिब्यूनल का अवार्ड आने के बाद सरदार सरोवर की हाइट कम करने की बात मंत्री महोदय करें तो यह कहां तक और कितनी हद तक सही है ? मंत्री महोदय मध्य प्रदेश में हैं और मध्य प्रदेश में रिहैबिलिटेशन के बारे में गुजरात की सरकार चिंतित है और इसके बारे में और जो भी शर्तें होगी वह मानने के लिये गुजरात की सरकार तैयार है। उसके बावजूद भी अगर हाइट कम करने की बात की जायें तो फिर मंत्री जी मध्य प्रदेश से हैं तो क्या इससे कहीं पार्शियलिटी की बू तो नहीं आ रही है।

(व्यवधान)

MR. CHAIRMAN: Please. (*Interruptions*)... If you are quieter, there is a greater chance.

श्री कमल नाथ : सर, जो नर्मदा वैली योजना है ... (**व्यवधान**) सर, जो नर्मदा वैली योजना है ... (**व्यवधान**)

MR. CHAIRMAN: Let the Minister answer.

श्री कमल नाथ : सर, जो नर्मदा वैली योजना है वह केवल एक डैम की नही है एक सरदार सरोवर की नहीं है नर्मदा वली योजना पूरी रिवर वैली के लिये है.. (**व्यवधान**)

श्री अनन्तराय देवशंकर दवे : नेशनल प्रोजेक्ट है।... (**व्यवधान**)

SHRI KAMAL MORARKA: Sir, what is this, The Member s not allowing the Minister to answer.

श्री कमल नाथ : सर, इसमे जहां तक माननीय सदस्य की चिंता है कि जो भी ... (**व्यवधान**)

SHRI S. JAIPAL REDDY: Sir, Shri Kamal Morarka is supporting Shri Kamal Nath.

MR. CHAIRMAN: We are all polluting the environment of the House. Please allow the Minister to answer

श्री कमल नाथ : सर, जहां तक माननीय सदस्य की चिंता है और जो उन्होंने व्यक्त की है जो भी शर्तें थीं सरदार सरोवर की केवल गुजरात में ही उनके लागू होने का प्रश्न नहीं है। ये जो शर्तें ये महाराष्ट्र में भी है। सरदार सरोवर में जो क्षेत्र डूब जायेगा वह मध्य प्रदेश और महाराष्ट्र में भी है। इसके साथ-साथ जो पूरी योजना है सरदार सरोवर के साथ नर्मदा सागर की और कई अन्य बांध बनने हैं, तो इस पूरी योजना के लिये शर्तें बनाई गई हैं। इतना काफी नही कि केवल गुजरात राज्य अपनी शर्तें पूरी करले और उसमे मध्य प्रदेश या महाराष्ट्र मे जो असर हो रहा है वे शर्तें न पूरी की जायें, मैं कोई आरोप गुजरात सरकार पर नहीं लगा रहा हू, जहां तक गुजरात का प्रश्न है, गुजरात ने अपनी शर्तें पूरी की हैं। यह बात मैं नहीं कही कि गुजरात ने पूरी नहीं की है, मैंने कहा कि इस योजना से जो जुड़ी हुई शर्तें हैं, चाहे वे महाराष्ट्र में लागू हों या मध्य प्रदेश में लागू हों उनको भी साथ-साथ पूरा करने की आवश्यकता है। क्योंकि अगर क्षेत्र डूब जायेगा तो उसके बाद जो शर्तें हैं वे पूरी नहीं की जा सकेंगी और उसका तब कोई उपाय नहीं बचेगा... (**व्यवधान**)

श्री चिमनभाई मेहता : आपने कहा कि हाइट कम कर दीजिये, एक एनवायरमेंट मिनिस्टर होने के नाते से... (**व्यवधान**)

SHRI KAMAL NATH: If they give me a chance, and if they want to hear me, I would certainly answer that question also. (*Interruptions*). I have no problem. If they are referring to a statement which I made about the Narmada Dam which is in Madhya Pradesh, it was not related to the Sardar Sarovar... (*Interruptions*).

SHRI JAGDISH PRASAD MATHUR: Sir, many States are involved in this question. (*Interruptions*).

SHRI KAMAL NATH: I certainly don't want to make any compromise. We will not make any compromise in the water and power requirements of Gujarat. I want to make it very clear.

MR. CHAIRMAN: Q [No. 245.

Preventing of Cruelty to Animals

*245. SHRI RAJNI RANJAN SAHU:†
SHRI SUSHILKUMAR SAMBHAJIRAO SHINDE:

Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

(a) whether Government's attention has been drawn to the report

†The question was asked on the floor of the House by Shri Rajni Ranjan Sahu.